

Michael Tizzano  
Massimo Gammella

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 09 2024 ★

LONG ISLAND OFFICE  
July 09, 2024

Hon. Steven I. Locke, USMJ  
United States District Court, Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11717

Re: Hernandez, et ano v Rosso Uptown Ltd, et al, Case No. 20-cv-0426-JMA-SIL

Dear Judge Locke,

We hope this email finds you well, we are writing to inform you that we, the defendants, Mr. Gammella and Mr. Tizzano, have fully complied with the court's instructions regarding the submission of documents to the opposing counsel. All relevant documents, exhibits, case citations, were sent to the plaintiffs' lawyer by July 1<sup>st</sup>, 2024.

After our initial submission, Mr. Moser requested that all documents be consolidated into his original PTO word document. We promptly complied with this request and provided the necessary documents accordingly.

If Mr. Moser believes that he was bombarded with emails, it is due to the fact that he never confirmed receipt of the complete files. For us, the defendants, it is essential to note that documents such as exhibits, recording and case citations, which are critical, will be included in the PTO.

Furthermore, in the last PTO filed by Mr. Moser under paragraph 6) **Statement of relief sought**: plaintiffs' lawyer **never attached** to the document, his detailed list of damages sought (thought the PTO reads "damages for each Plaintiff are annexed hereto") but only shared it with us via email, to which we made clear that we will move to challenge it.

Additionally, the reason for the first different emails from us, is because although we are named in the same complaint, our cases are to be considered separately. This separation necessitates different exhibits and case citations for each defendant.

Furthermore, today, July 09, 2024, we are here at the pro-se clerk trying to get more insight of the protocol to follow.

We have our lists of exhibits and case citations, respectively marked **Tizzano** and **Gammella**, that though were sent to Mr. Moser were never included in the final PTO and that we intend to file.

Additionally, Mr. Moser feels that the PTO is "unworkable" and asked that our next conference will be adjourned, we would like to keep our conference for July 15<sup>th</sup> or after July 25<sup>th</sup>, as the defendant Tizzano has an impelled trip coming up for which Mr. Moser was made aware of.

We trust this clarifies our actions and the reasons behind them.

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Respectfully,

Massimo Gammella

 7/9/24

Michael Tizzano

 07/09/24